

Annual Notification of Uniform Complaint Procedures (UCP) 2019-2020

ATTENTION: EMPLOYEES, PUPILS, PARENTS/GUARDIANS, ADVISORY COMMITTEE MEMBERS, OTHER INTERESTED PARTIES

The San Diego County superintendent of schools has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees, and the non-compliance of our Local Control and Accountability Plan (LCAP).

The county superintendent of schools shall investigate all allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code sections 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the local education agency (LEA), that is funded directly by, or that receives or benefits from, any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Accommodations for pregnant and parenting pupils
- Adult education
- After school education and safety
- Agricultural vocational education
- Career technical and technical education, career technical, technical training (state)
- Career technical education (federal)
- Child care and development
- Compensatory education
- Course periods without educational content
- State preschool
- State preschool health and safety issues in LEAs exempt from licensing
- Regional occupational centers and programs
- School site councils
- Education of pupils in foster care and pupils who are homeless, and former juvenile court pupils now enrolled in a school district and children of military families
- Every Student Succeeds Act/No Child Left Behind
- Local control accountability plans
- Migrant education
- Physical education Instructional minutes
- Pupil fees
- Reasonable accommodations to a lactating pupil
- School plans for student achievement
- School safety plans

A pupil fee and/or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

San Diego County Superintendent of Schools Dr. Paul Gothold

San Diego County Board of Education

Paulette Donnellon Guadalupe González Alicia Muñoz Mark Powell Rick Shea

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

Complaints other than issues relating to pupil fees must be filed in writing with the lead compliance officer who is designated to receive complaints.

Assistant Superintendent, Human Resource Services
Lead Compliance Officer
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111-7399
858-292-3589
uniform.complaint.procedure@sdcoe.net

A pupil fees complaint may be filed with the principal, who shall resolve the complaint or ensure that it is forwarded in a timely manner to the lead compliance officer.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six months from the date the alleged discrimination, harassment, intimidation, or bullying occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the compliance officer.

Complaints will be investigated, and a written decision or report will be sent to the complainant within 60 days from the receipt of the complaint. This 60-day time period may be extended by written agreement of the complainant. The compliance officer shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal the decision on complaints regarding specific programs subject to the UCP, pupil fees, and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of the decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

The San Diego County Office of Education (SDCOE) shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now

enrolled in a school district, and pupils in military families as specified in Education Code sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

SDCOE shall post a notice to identify appropriate subjects of state preschool health and safety issues in each California state preschool program classroom in each school notifying parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to the Health and Safety Code section 1596.7925, and (2) where to get a form for a state preschool health and safety issues complaint.

Copies of the UCP policy, administrative regulation, and annual notification are available free of charge.